

## **REMARKS**

The Examiner finds the reply filed September 15, 2004 lacking a response to the election of species requirement. Apparently, the Examiner has not entered the previously filed amendment and in particular, the added claims 57-60. These claims are now presented herein and entry is requested.

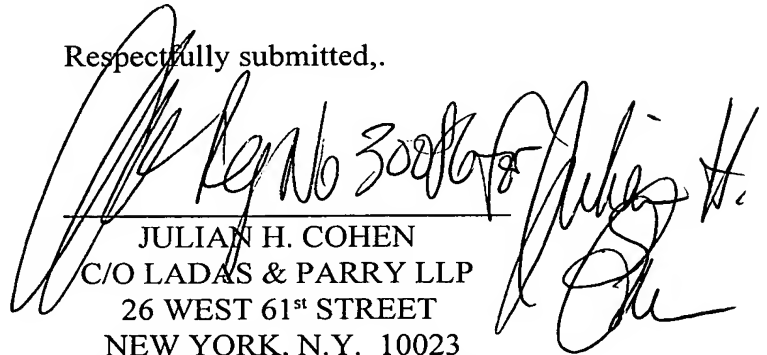
Applicant has previously elected a species in the response filed June 18, 2004 and affirms that election. Namely, applicant elects the species X of Figs. 30 and 31. Claims 1-12, 14, 17, 37-40, 42, 43, 48, 50, and 56 read on the elected species. Also, newly added claims 57-60 which ultimately depend from claim 37 also read on the elected species.

Claims 57-60 which have been added are method claims dependent from claim 37 drawn to an implant. As such, these claims are linking claims between the implant and the method and should be grouped with the elected invention of Group I and with species X of Figs. 30 and 31.

Upon allowance of a linking claim, claims to the claims in Group II then become examinable in this application. There is a clear linking of the inventions to the implant and the method as expressed in the application and as now set forth in the linking claims.

Therefore, examination of the claims to the elected species and to the elected invention of the implant and to the linking claims of the implant and the method is requested and ultimately upon allowance of a linking claim, examination and allowance of the method claims as well.

Respectfully submitted,.

  
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